

### **REMARKS**

Claims 1-4, 6-8, 11, 14-21, 23-25, 28, 31-38, 40-42, 45, 48-52 are pending, with claims 1, 18, 35, and 52 being independent. Claims 5, 9-10, 12-13, 22, 26-27, 29-30, 39, 43-44, 46-47 have been cancelled. Claims 1-4, 6-8, 11, 14-17, 35-38, 40-42, 45, 48-52 have been allowed.

### **Specification**

The specification has been objected to for not defining sufficient metes and bounds with respect to the term "computer readable storage medium." Applicants submit that the subject matter encompassed by the term "computer readable storage medium" would be readily apparent to one of skill in the art and the specification, at least at page 8, lines 8-18 and page 39, lines 22-24 provide, as well as other parts, provides adequate antecedent basis for the term "computer readable storage medium."

In addition, Applicants would like to make clear that they are not intending to encompass optical rays, carrier waves, and other transitory transmission-type media. Consequently, reconsideration and withdrawal of the objection to the specification is kindly requested.

### **101 Rejection**

Claims 18-21, 23-25, 28, and 31-34 stand rejected under 35 U.S.C. 101 as directed to non-statutory subject matter.

Applicants respectfully note that because claims 18-21, 23-25, 28, and 31-34 are in a means plus function format, they necessarily cover the structure and not software per se. See MPEP § 2181. However, to insure that prosecution is advanced, Applicants submit they do not intend to claim the system of claims 18-21, 23-25, 28, and 31-34 as any form of software per se. Reconsideration and withdrawal of the rejection of claims 18-21, 23-25, 28, and 31-34 is kindly requested.

### **Finality of Rejection**

The Office Action states that Applicants' amendment necessitated the finality of the Office Action. See Office Action, page 4. However, the Office Action rejected claims 18-21, 23-25, 28, and 31-34 under a new ground that was not raised in the previous Office Action and

that was also not necessitated by the Applicants' amendments. Hence, the finality of the current Office Action is improper. See MPEP 706.07(a). Therefore, Applicants kindly request that another Office Action is issued (and not an advisory action) in the event the Examiner does not believe that this response places all claims in condition for allowance. However, all claims are believed to be now in the condition for allowance.

No fees are believed to be due at this time. Please apply any other charges or credits to Deposit Account 06-1050.

Respectfully submitted,

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/Kevin E. Greene/  
Kevin E. Greene  
Reg. No. 46,031

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331